

**§ 810.404**

**7 CFR Ch. VIII (1–1–05 Edition)**

corn and foreign material. Other determinations not specifically provided for under the general provisions are made on the basis of the grain as a whole, except the determination of odor is made

on either the basis of the grain as a whole or the grain when free from broken corn and foreign material.

[52 FR 24418, June 30, 1987; 52 FR 28534, July 31, 1987]

**GRADES AND GRADE REQUIREMENTS**

**§ 810.404 Grades and grade requirements for corn.**

Grade	Minimum test weight per bushel (pounds)	Maximum limits of		
		Damaged kernels		Broken corn and foreign material (percent)
		Heat damaged kernels (percent)	Total (percent)	
U.S. No. 1 .....	56.0	0.1	3.0	2.0
U.S. No. 2 .....	54.0	0.2	5.0	3.0
U.S. No. 3 .....	52.0	0.5	7.0	4.0
U.S. No. 4 .....	49.0	1.0	10.0	5.0
U.S. No. 5 .....	46.0	3.0	15.0	7.0

U.S. Sample Grade

U.S. Sample grade is corn that:

- (a) Does not meet the requirements for the grades U.S. Nos. 1, 2, 3, 4, or 5; or
- (b) Contains stones with an aggregate weight in excess of 0.1 percent of the sample weight, 2 or more pieces of glass, 3 or more crotalaria seeds (*Crotalaria* spp.), 2 or more castor beans (*Ricinus communis* L.), 4 or more particles of an unknown foreign substance(s) or a commonly recognized harmful or toxic substance(s), 8 or more cockleburrs (*Xanthium* spp.), or similar seeds singly or in combination, or animal filth in excess of 0.20 percent in 1,000 grams; or
- (c) Has a musty, sour, or commercially objectionable foreign odor; or
- (d) Is heating or otherwise of distinctly low quality.

[60 FR 61196, Nov. 29, 1995]

**SPECIAL GRADES AND SPECIAL GRADE REQUIREMENTS**

**§ 810.405 Special grades and special grade requirements.**

(a) *Flint corn*. Corn that consists of 95 percent or more of flint corn.

(b) *Flint and dent corn*. Corn that consists of a mixture of flint and dent corn containing more than 5.0 percent but less than 95 percent of flint corn.

(c) *Waxy corn*. Corn that consists of 95 percent or more waxy corn, according to procedures prescribed in FGIS instructions.

[52 FR 24418, June 30, 1987, as amended at 52 FR 24441, June 30, 1987; 52 FR 28534, July 31, 1987]

**Subpart E—United States Standards for Flaxseed**

**TERMS DEFINED**

**§ 810.601 Definition of flaxseed.**

Grain that, before the removal of dockage, consists of 50 percent or more

of common flaxseed (*Linum usitatissimum* L.) and not more than 20 percent of other grains for which standards have been established under the United States Grain Standards Act and which, after the removal of dockage, contains 50 percent or more of whole flaxseed.

**§ 810.602 Definition of other terms.**

(a) *Damaged kernels*. Kernels and pieces of flaxseed kernels that are badly ground-damaged, badly weather-damaged, diseased, frost-damaged, germ-damaged, heat-damaged, insect-bored, mold-damaged, sprout-damaged, or otherwise materially damaged.

(b) *Dockage*. All matter other than flaxseed that can be removed from the original sample by use of an approved device according to procedures prescribed in FGIS instructions. Also, underdeveloped, shriveled, and small pieces of flaxseed kernels removed in properly separating the material other than flaxseed and that cannot be recovered by properly rescreening or recleaning.

(c) *Heat-damaged kernels.* Kernels and pieces of flaxseed kernels that are materially discolored and damaged by heat.

(d) *Other grains.* Barley, corn, cultivated buckwheat, einkorn, emmer, guar, hull-less barley, nongrain sorghum, oats, Polish wheat, popcorn, poulard wheat, rice, rye, safflower, sorghum, soybeans, spelt, sunflower seed, sweet corn, triticale, wheat, and wild oats.

#### PRINCIPLES GOVERNING THE APPLICATION OF STANDARDS

##### § 810.603 Basis of determination.

Other determinations not specifically provided for under the general provisions are made on the basis of the grain when free from dockage, except the determination of odor is made on either the basis of the grain as a whole or the grain when free from dockage.

#### GRADES AND GRADE REQUIREMENTS

##### § 810.604 Grades and grade requirements for flaxseed.

Grade	Minimum test weight per bushel (pounds)	Maximum limits of damaged kernels—	
		Heat damaged kernels (per cent)	Total (per cent)
U.S. No. 1 .....	49.0	0.2	10.0
U.S. No. 2 .....	47.0	0.5	15.0

U.S. Sample grade—

U.S. Sample grade is flaxseed that:

- Does not meet the requirements for the grades U.S. Nos. 1 or 2; or
- Contains 8 or more stones which have an aggregate weight in excess of 0.2 percent of the sample weight, 2 or more pieces of glass, 3 or more crotalaria seeds (*Crotalaria* spp.), 2 or more castor beans (*Ricinus communis* L.), 4 or more particles of an unknown foreign substance(s) or a commonly recognized harmful or toxic substance(s), 10 or more rodent pellets, bird dropping, or equivalent quantity of other animal filth per 1 1/8 to 1 1/4 quarts of flaxseed; or
- Has musty, sour, or commercially objectionable foreign odor (except smut or garlic odor), or
- Is heating or otherwise of distinctly low quality.

## Subpart F—United States Standards for Mixed Grain

#### TERMS DEFINED

##### § 810.801 Definition of mixed grain.

Any mixture of grains for which standards have been established under the United States Grain Standards Act, provided that such mixture does not come within the requirements of any of the standards for such grains; and that such mixture consists of 50 percent or more of whole kernels of grain and/or whole or broken soybeans which will not pass through a 5/64 triangular-hole sieve and/or whole flaxseed that passes through such a sieve after sieving according to procedures prescribed in FGIS instructions.

##### § 810.802 Definition of other terms.

(a) *Damaged kernels.* Kernels and pieces of grain kernels for which standards have been established under the Act, that are badly ground-damaged, badly weather-damaged, diseased, frost-damaged, germ-damaged, heat-damaged, insect-bored, mold-damaged, sprout-damaged, or otherwise materially damaged.

(b) *Foreign material and fines.* All matter other than whole flaxseed that passes through a 5/64 triangular-hole sieve, and all matter other than grains for which standards have been established under the Act, that remains in the sieved sample.

(c) *Grades.* U.S. Mixed Grain, or U.S. Sample grade Mixed Grain, and special grades.

(d) *Heat-damaged kernels.* Kernels and pieces of grain kernels for which standards have been established under the Act, that are materially discolored and damaged by heat.

(e) *Sieve—5/64 triangular-hole sieve.* A metal sieve 0.032 inch thick with equilateral triangular perforations the inscribed circles of which are 0.0781 (5/64) inch in diameter.